

HOUSE No. 3188

The Commonwealth of Massachusetts

PRESENTED BY:

Michael P. Kushmerek and John Cronin

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Fitchburg Redevelopment Authority.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>2/1/2021</i>
<i>John Cronin</i>	<i>Worcester and Middlesex</i>	<i>2/1/2021</i>

HOUSE No. 3188

By Representative Kushmerek of Fitchburg and Senator Cronin, a joint petition (accompanied by bill, House, No. 3188) of Michael P. Kushmerek and John Cronin relative to authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Fitchburg Redevelopment Authority. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Fitchburg Redevelopment Authority.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey a certain parcel of state owned land, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General
2 Laws or any other general or special law to the contrary, the commissioner of capital asset
3 management and maintenance may convey a certain parcel of state-owned land, with the
4 buildings thereon, located in the city of Fitchburg to the Fitchburg Redevelopment Authority on
5 terms that may be determined by the commissioner. The parcel and buildings are located at 84
6 Elm street. The exact boundaries of the parcel shall be determined by the commissioner of
7 capital asset management and maintenance.

8 SECTION 2. Consideration for the conveyance under section 1 shall be \$1, payable at
9 the time of the conveyance. Upon a subsequent conveyance of the property described in said

10 section 1 or a portion thereof by the Fitchburg Redevelopment Authority, the Fitchburg
11 Redevelopment Authority shall distribute the gross proceeds of the conveyance, in the following
12 order, to: (i) the commonwealth to reimburse it for costs incurred by the division of capital asset
13 management and maintenance with respect to the property; (ii) the city of Fitchburg for costs
14 incurred by the city with respect to the property; (iii) the Fitchburg Redevelopment Authority for
15 costs incurred by the Fitchburg Redevelopment Authority, if any, for the transaction including,
16 but not limited to, the costs for legal work, survey, title and the preparation of plans and
17 specifications; and (iv) the commonwealth and the Fitchburg Redevelopment Authority in equal
18 shares.

19 SECTION 3. The commissioner of capital asset management and maintenance may
20 retain or grant rights of way or easements for access, egress, utilities and drainage across the
21 property described in section 1 and across other property owned by the commonwealth that is
22 contiguous to the property described in said section 1 and may accept such rights of way or
23 easements for access, egress, drainage and utilities as the commissioner considers necessary and
24 appropriate to carry out this act.

25 SECTION 4. The Fitchburg Redevelopment Authority shall bear all costs, if any, for the
26 transactions authorized in this act including, but not limited to, all costs for legal work, survey,
27 title and preparation of plans and specifications; provided, however, that any costs and expenses
28 incurred by the Fitchburg Redevelopment Authority to sell the property shall be paid from the
29 gross proceeds of the sale.

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